

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

ENOCH ADAMS, JR., LEROY ADAMS,  
ANDREW KOENIG, JERRY NORTON,  
DAVID SWAN and JOSEPH SWAN,

Plaintiffs,

v.

TECK COMINCO ALASKA  
INCORPORATED,

Defendant,

NANA REGIONAL CORPORATION, and  
NORTHWEST ARCTIC BOROUGH,

Intervenor-Defendants.

Case No.: A:04-cv-0049 (JWS)

**JOINT MOTION FOR ENTRY OF CONSENT DECREE  
EFFECTUATING SETTLEMENT**

Having reached a settlement of all issues in the above captioned matter, each and all of the parties request that the court enter a consent decree, in the form lodged herewith, following a comment period of not less than 45 days. The parties certify that a copy of the consent decree has been served on the U.S. Attorney General and the Administrator of the U.S. Environmental Protection Agency to enable them to each

comment pursuant to 33 U.S.C. § 1365(c)(3). The consent decree disposes of all issues in this matter.

Dated this 3<sup>rd</sup> day of Sept 2008.

/s/ Luke Cole (by consent)

Luke Cole

Attorney for Enoch Adams, Jr., Leroy Adams, Andrew Koenig, Jerry Norton, David Swan and Joseph Swan

Hartig Rhodes Hoge Lekisch, PC  
Attorneys for Teck Cominco Alaska Incorporated

By: 

Sean Halloran

Heller Ehrman LLP  
Attorneys for NANA Regional Corp.

By: /s/ James Torgerson (by consent)  
James Torgerson

Landye Bennett Blumstein, LLP  
Attorneys for Northwest Arctic Borough

By: /s/ David Case (by consent)  
David Case

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of September, 2008, a true and correct copy of the Joint Motion for Entry of Consent Decree Effectuating Settlement; Exhibit 1, and Proposed Consent Decree, was served via electronic service, on the below identified parties of record:

Luke W. Cole  
Center on Race, Poverty, & the Environment  
47 Kearny Street, Suite 804  
San Francisco, California 94108

Nancy S. Wainwright (via U.S. Mail only)  
Law Offices of Nancy S. Wainwright  
13030 Back Road, Suite 555  
Anchorage, Alaska 99515-3538

James E. Torgerson  
Heller Ehrman White & McAuliffe LLP  
510 L Street, Suite 500  
Anchorage, Alaska 99501-1959

David S. Case  
Landye Bennett Blumstein LLP  
701 W. 8<sup>th</sup> Ave., Suite 1200  
Anchorage, AK 99501

By: 

Becky Lewis

HARTIG RHODES  
HOGE &  
LEKISCH, P.C.  
ATTORNEYS AT LAW  
717 K STREET  
ANCHORAGE,  
ALASKA  
99501-3397  
TELEPHONE:  
(907) 276-1592  
FAX:  
(907) 277-4352